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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/764,205

01/23/2004

Atul Mukker

03-2586

8069

7590

12/12/2006

Pete Scott, Senior Corporate Counsel
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EXAMINER

ALI, MOHAMMAD

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/764,205

Applicant(s)

MUKKER, ATUL

Examiner

Mohammad Ali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 12-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 12-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the amendment filed on 9/22/06.

The application has been examined and claims 1-8 and 12-22 are pending in this office action.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8 and 12-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

4. Claims 1-3, 7-8, 12-14 and 16-22 rejected under 35 U.S.C. 102(b) as being anticipated by USP, 5,778,387, Wilkerson et al. ('WILKERSON' hereinafter).

With respect to claim 1,

WILKERSON teaches method in a data-processing system for recovering data (see Fig. 3, WILKERSON), comprising:

identifying desired data from a command line interface displayable (Fig. 55, Wilkerson) within a display area of a data-processing system (see col. 11, lines 34-41, Wilkerson);

automatically saving said desired data in a memory location of said data-processing system, in response to identifying said desired data from said command line interface (see col. 12, lines 16-24, Figs. 3-8 Wilkerson); and

automatically recovering said data from said memory location of said data-processing system for display within said command line interface, if said desired data is inadvertently deleted from a command line of said command line interface (see col. 19, lines 50-56, Fig. 32, Claim 1, Wilkerson).

As to claim 2,

WILKERSON teaches the step of displaying said data within said command line interface, in response to automatically recovering said data from said memory location of said data-processing system (see col. 12, lines 16-24, Figs. 3-8 Wilkerson).

As to claim 3,

WILKERSON teaches the step of utilizing said command line interface to interact with an operating system associated with said data-processing system (see col. 12, lines 16-24, Figs. 3-8 Wilkerson).

As to claim 7,

WILKERSON teaches the steps of: permitting a user to specify a plurality of rules for recycling said data; recycling said data, in response to user input (see col. 24, lines 30-40, Fig. 45 Wilkerson).

As to claim 8,

WILKERSON teaches the step of prompting said user to specify said plurality of rules for recycling said data through a display of a graphical user interface dialog (see col. 19, lines 10-25, Wilkerson).

Claims 12-14 and 16-22 have the same subject matter as of claims 1-3 and 7-8 and essentially rejected for the same reasons as discussed above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-6, and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over USP, 5,778,387, Wilkerson et al. ('WILKERSON' hereinafter) as applied to above claims in view of USPGPUB 2005/0075748, Gartland et al. ('Gartland' herinafter).

As to claim 4,

WILKERSON teaches wherein said operating system comprises a Linux-based operating system (see col. 11, lines 34-41, Wilkerson).

WILKERSON does not explicitly indicate claimed linux based operating system.

Gartland discloses claimed linux based operating system (see para. 0050, Gartland).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because

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claimed linux based operating system of Gartland's teaching would have allowed WILKERSON's system for overall ISR system to arrange automatically handle a plurality of different reported error conditions and other issues that are recognized as having possible automatic resolutions or recoveries as suggested by see para 00021, Gartland.

As to claim 5,

WILKERSON teaches wherein said operating system comprises a Unix-based operating system (see col. 12, lines 16-24, Figs. 3-8 Wilkerson).

WILKERSON does not explicitly indicate claimed Unix based operating system.

Gartland discloses claimed Unix based operating system (see para. 0050, Gartland).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because claimed Unix based operating system of Gartland's teaching would have allowed WILKERSON's system for overall ISR system to arrange automatically handle a plurality of different reported error conditions and other issues that are recognized as having possible automatic resolutions or recoveries as suggested by see para 00021, Gartland.

As to claim 6,

WILKERSON teaches wherein said operating system comprises a Windows-based operating system (see col. 11, lines 34-41, Wilkerson).

WILKERSON does not explicitly indicate claimed linux based operating system.

Gartland discloses claimed Windows based operating system (see para. 0050, Gartland).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because claimed Windows based operating system of Gartland's teaching would have allowed WILKERSON's system for overall ISR system to arrange automatically handle a plurality of different reported error conditions and other issues that are recognized as having possible automatic resolutions or recoveries as suggested by see para 00021, Gartland.

Claim 15 have the same subject matter as of claims 4-6 and essentially rejected for the same reasons as discussed above.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Mohammad Ali
Primary Examiner
Art Unit 2166

MA
December 8, 2006